

REMARKS

Claim 23:

Applicant notes that reference to claim 23 does not appear on either Form PTO-326, Office Action Summary, or within the Detailed Action, as being rejected, objected to, or allowed. As such, Applicant hereby respectfully requests the Examiner consider and examine claim 23, as amended in the attached Appendix.

Allowable Subject Matter:

Applicant sincerely thanks the Examiner for indicating that claims 2, 5-7 and 11-12 have been allowed.

Claim Rejections:

Claims 2, 5-7, 10-12, 17-19, 21 and 23 are all the claims pending in the present application, and currently claims 17-22 stand rejected.

35 U.S.C. § 112, 2nd Paragraph Rejection - Claim 18:

Claim 18 stands rejected under 35 U.S.C. § 112, 2nd paragraph as being indefinite. Specifically, the Examiner has indicated that claim 18 is dependent from a cancelled claim. Applicant respectfully disagrees and notes that claim 18 currently depends from pending claim 19. Applicant notes that in an Amendment under 37 C.F.R. § 1.111, filed March 22, 2001, claim 18 was amended to depend on claim 19.

Therefore, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 112, 2nd paragraph rejection of this claim.

35 U.S.C. § 102(e)/103(a) Rejection - Claim 20:

Claim 20 is rejected under 35 U.S.C. §102(e) as allegedly anticipated by or, in the alternative, under 35 U.S.C. §103(a) as allegedly obvious over Blok et al. Applicant notes that claim 20 has been cancelled without prejudice or disclaimer, and hereby asserts that the above referenced rejection is now moot.

35 U.S.C. § 102(b) or (e)/103(a) Rejection - Claims 17-19, 21 and 22:

Claims 17-19, 21 and 22 are rejected under 35 U.S.C. §102(b) or (e) as allegedly anticipated by or, in the alternative, under 35 U.S.C. §103(a) as allegedly obvious over EP 070143 or JP09151279.

As an initial matter, Applicant notes that claim 22 has been cancelled without prejudice or disclaimer and, therefore, the rejection regarding this claim will not be discussed.

Turning now to the rejections of claims 17 and 19, the Examiner asserts that the compositions of the pneumatic tires of the references (EP 070143, JP 09151279) are the same as the composition of the pneumatic tire defined by claims 17 and 19. Applicant submits that this is simply not the case.

Applicant notes that each of the aforementioned references is concerned with a tread rubber, which has a relatively low sulfur content and thus is relatively soft. This is contrary to the present invention (i.e., claims 17 and 19), which are directed to a side-portion-reinforcing rubber, which has a relatively high sulfur content and thus is relatively hard. As the compositions are different between a tread rubber and a side-portion-reinforcing rubber, the physical properties thereof are also different. Applicant notes that it is known in the art that a

tread rubber, which needs to have a relatively low rigidity, has a relatively low sulfur content and that side-portion-reinforcing rubber, which needs to have a relatively high rigidity, has a relatively high sulfur content.

Specifically, it is noted that in EP '143, the sulfur content is maintained as low as 2.5 parts by weight per 100 parts by weight of rubber (*see* Example 22 etc. of EP '143). Similarly, in JP '279, the sulfur content is maintained as low as 1 part by weight per 100 parts by weight of rubber (SBR) in all of the examples (*see* Tables 1 and 2 of JP '279). Applicant submits that one skilled in the art would realize that dynamic storage modulus (E') sharply decreases below 100°C in a tread rubber having low sulfur content such as the tread rubbers of EP '143 and JP '279.

Accordingly, Applicant submits that the present rubber composition to be used for a rubber reinforcing layer and/or a bead filler, which rubber composition is defined by claims 17 and 19, has a composition and physical property which are different from the compositions and physical properties of the tread rubbers of EP '143 and JP '279. That is, the rubber composition defined by claims 17 and 19 is neither disclosed, taught or suggested in either EP '143 and JP '279, taken individually or in combination.

In view of the above discussion, Applicant submits that neither of the above cited references individually disclose each and every feature of claims 17 or 19, nor do they teach or suggest the present invention, as set forth in these claims, when taken individually or in combination. Therefore, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(b)/(f) and 35 U.S.C. § 103(a) rejections of these claims. Further,

AMENDMENT UNDER 37 C.F.R. § 1.116
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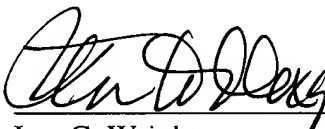
Applicant notes that as claims 18 and 21 depend on claim 19, Applicant submits that these claims are also allowable, at least by reason of their dependence.

Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Date: January 24, 2003

APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 20 and 22 are canceled.

The claims are amended as follows:

21 (amended). A pneumatic tire according to claim 19, wherein the side reinforcing layers and/or bead fillers further comprise a rubber composition comprising a compound A having two or more ester groups in one molecule, in the amount of 0.5 to 20 parts by weight per 100 parts by weight of the rubber component.

23 (amended). A pneumatic tire according to claim 17, wherein the side reinforcing layers and/or bead fillers further comprise a rubber composition comprising a compound A having two or more ester groups in one molecule, in the amount of 0.5 to 20 parts by weight per 100 parts by weight of the rubber component.